

of postponement of effective date expires. Therefore, under section 4 of the Administrative Procedure Act (5 U.S.C. 1003), it is found for good cause that notice of rule-making and other public procedure with respect to this action are impracticable and good cause is found for making it effective less than 30 days after publication hereof in the FEDERAL REGISTER.

(Sec. 14, 71 Stat. 447, 21 U.S.C. 463; 29 F.R. 12210; 30 F.R. 1260; 30 F.R. 2160)

This action shall become effective on May 1, 1965.

Done at Washington, D.C., this 23d day of April 1965.

G. R. GRANGE,  
Deputy Administrator,  
Marketing Services.

[F.R. Doc. 65-4513; Filed, Apr. 28, 1965; 8:49 a.m.]

#### Chapter IX—Consumer and Marketing Service (Marketing Agreements and Orders; Fruits, Vegetables, Tree Nuts), Department of Agriculture

[Grapefruit Reg. 56]

#### PART 905—ORANGES, GRAPEFRUIT, TANGERINES, AND TANGELOS GROWN IN FLORIDA

##### Limitation of Shipments

##### § 905.463 Grapefruit Regulation 56.

(a) Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 905, as amended (7 CFR Part 905), regulating the handling of oranges, grapefruit, tangerines, and tangelos grown in Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found and determined, in accordance with paragraph (5) of section 602 of the act, that the continuation of regulation of shipments of grapefruit, as hereinafter provided, is necessary and will tend to avoid a disruption of the orderly marketing of the remainder of the current crop of such grapefruit; and such continuation of regulation will be in the public interest.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 1001-1011) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. Shipments of all grapefruit, grown in

the production area, are presently subject to regulation by grades and sizes, pursuant to the amended marketing agreement and order; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after an open meeting of the Growers Administrative Committee on April 27, 1965, such meeting was held to consider recommendations for regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including the effective time hereof, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such grapefruit; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter set forth so as to provide for the continued regulation of the handling of grapefruit, and compliance with this section will not require any special preparation on the part of the persons subject thereto which cannot be completed by the effective time hereof.

(b) Order. (1) Terms used in the amended marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said amended marketing agreement and order; and terms relating to grade, diameter, standard pack, and standard box, as used herein, shall have the same meaning as is given to the respective term in the U.S. Standards for Florida Grapefruit (§§ 51.750-51.783 of this title).

(2) Grapefruit Regulation 55 (30 F.R. 5358) is hereby terminated at 12:01 a.m., e.s.t., April 30, 1965.

(3) During the period beginning at 12:01 a.m., e.s.t., April 30, 1965, and ending at 12:01 a.m., e.s.t., May 17, 1965, no handler shall ship between the production area and any point outside thereof in the continental United States, Canada, or Mexico:

(i) Any seeded grapefruit, grown in the production area, which does not grade at least U.S. No. 1 Russet;

(ii) Any seeded grapefruit, grown in the production area, which are smaller than  $3\frac{1}{16}$  inches in diameter, except that a tolerance of 10 percent, by count, of seeded grapefruit smaller than such minimum size shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances, specified in the United States Standards for Florida Grapefruit;

(iii) Any seedless grapefruit, grown in Regulation Area I, which do not grade at least U.S. No. 1 Russet;

(iv) Any seedless grapefruit, grown in Regulation Area II, which do not grade at least U.S. No. 2 Russet; or

(v) Any seedless grapefruit, grown in the production area, which are smaller than  $3\frac{1}{16}$  inches in diameter, except that a tolerance of 10 percent, by count, of seedless grapefruit smaller than such minimum size shall be permitted, which tolerance shall be applied in accordance

with the provisions for the application of tolerances, specified in said United States Standards for Florida Grapefruit.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: April 28, 1965.

PAUL A. NICHOLSON,  
Deputy Director, Fruit and  
Vegetable Division, Consumer  
and Marketing Service.

[F.R. Doc. 65-4589; Filed, Apr. 28, 1965; 11:37 a.m.]

[Grapefruit Regulation 7, Amdt. 6]

#### PART 944—FRUIT; IMPORT REGULATIONS

##### Prohibitions

Pursuant to the provisions of section 8e of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), the provisions of paragraph (a) of Grapefruit Regulation 7 (§ 944.103, 29 F.R. 12762, 13603, 30 F.R. 257, 754, 4055, 5359) are hereby amended to read as follows:

(a) On and after 12:01 a.m., e.s.t., April 30, 1965, the importation of any grapefruit into the United States is prohibited unless such grapefruit are inspected and meet the following applicable requirements:

(1) Seeded grapefruit shall grade at least U.S. No. 1 Russet and be of a size not smaller than  $3\frac{1}{16}$  inches in diameter, except that a tolerance of 10 percent, by count, of seeded grapefruit smaller than such minimum size shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances, specified in the U.S. Standards for Florida Grapefruit; or

(2) Seedless grapefruit shall grade at least U.S. No. 2 Russet and be of a size not smaller than  $3\frac{1}{16}$  inches in diameter, except that a tolerance of 10 percent, by count, of seedless grapefruit smaller than such minimum size shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances, specified in the United States Standards for Florida Grapefruit.

It is hereby found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective time of this amendment beyond that hereinafter specified (5 U.S.C. 1001-1011) in that (a) the requirements of this amended import regulation are imposed pursuant to section 8e of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), which makes such regulation mandatory; (b) such regulation imposes the same restrictions on imports of all grapefruit as the grade and size restrictions being made applicable to the shipment of all grapefruit grown in Florida under Grapefruit Regulation 56 (§ 905.463); (c) compliance with this amended import regulation will not require any special preparation which cannot be completed by the effective time hereof; and (d) this regulation relieves



restrictions on the importation of grapefruit.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated, April 28, 1965, to become effective at 12:01 a.m., e.s.t., April 30, 1965.

PAUL A. NICHOLSON,  
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 65-4590; Filed, Apr. 28, 1965; 11:37 a.m.]

## Title 14—AERONAUTICS AND SPACE

### Chapter I—Federal Aviation Agency

[Docket No. 5025; Amdts. 25-3, 121-4]

#### PART 25—AIRWORTHINESS STANDARDS: TRANSPORT CATEGORY AIRPLANES

#### PART 121—CERTIFICATION AND OPERATIONS: AIR CARRIERS AND COMMERCIAL OPERATORS OF LARGE AIRCRAFT

#### Minimum Flight Crewmember Requirements for Transport Category Airplanes

The purpose of this amendment to Parts 25 (formerly CAR Part 4b) and 121 (formerly CAR Parts 40, 41, and 42) of the Federal Aviation Regulations is to establish criteria for determining, during the type certification process, the minimum required flight crew for each transport category airplane type certificated after January 1, 1964.

For airplanes type certificated after that date the requirement for a flight engineer, as well as other flight crewmembers, will be determined under the minimum flight crew criteria of § 25.1523. The minimum flight crew so determined will be the minimum flight crew for operation of the airplane under Part 121 or under other operating rules. The minimum flight crew established during type certification does not, however, include those additional flight crewmembers required under the operating rules for compliance with the flight time limitations or the performance of certain functions such as celestial or other specialized means of navigation.

This amendment is based on a notice of proposed rule making (Notice 64-21) issued on April 27, 1964, and published in the FEDERAL REGISTER on May 1, 1964 (29 F.R. 5805). As stated in the notice, the Agency believes that to continue to require a flight engineer solely on the basis of airplane weight is unrealistic for airplanes being designed today.

This amendment adds to Part 25 an Appendix D that contains the criteria that would hereafter be considered in determining the minimum flight crew under § 25.1523. Most of these criteria were listed in the notice of proposed rule making.

The Agency received several comments in response to the notice of proposed rule making. These comments, as well as

those received at meetings with various groups representing air carriers, manufacturers, pilots, and flight engineers before issuing the notice, were all given careful consideration. A discussion of the major comments received and the Agency's position thereon follows:

Generally, the comments received from the aviation industry and from the airlines supported the Agency's proposal.

The International Brotherhood of Teamsters (representing the flight engineers from certain airlines) generally opposed any immediate change in the present rule and specifically stated that the proposal should be held in abeyance until the Civil Aeronautics Board issued its findings in a cockpit safety analysis that was underway when the notice was issued. The CAB study has now been completed and the Agency has carefully considered the conclusions reached therein as more fully discussed hereafter in this preamble.

The Flight Engineers International Association agreed that operation of an airplane that weighed in excess of 80,000 pounds without a flight engineer would not necessarily be unsafe solely because of weight. The FEIA, however, did not feel that the Agency's proposal justified elimination of the 80,000 pound rule at this time. FEIA felt that the methods used in the present type certification determination under § 25.1523 (former CAR § 4b.729) are not adequate for determining the minimum flight crew that safety would require, when factors are considered such as weather, icing, communications, navigation, terrain, airline operational requirements, degree of crewmember fatigue, emergencies in the passenger cabin, passenger problems or reaction to existing conditions, and incapacitation of a crewmember. The Agency believes that the appendix being added to Part 25 by this amendment includes all of the factors that the FEIA feels must be considered in the type certification process. The FEIA also felt that the Agency's issue of the notice might prejudice the CAB study previously mentioned.

The Civil Aeronautics Board, upon completion of its study, submitted a comment generally concurring with the changes proposed in Notice 64-21. In this comment, the Board stated that the minimum flight crew determined during type certification "should be compatible with safe continued operation for at least one-half of the airplane endurance in the event of incapacitation of one of the pilots". In addition to the CAB and the FEIA comment, the Agency also received several other comments that mentioned "incapacitation" as a specific item that should be considered during the type certification process. "Incapacitation" is to a limited extent considered in the emergency considerations described in items (6) and (9) of the workload factors discussed in the notice and that are being set forth in Appendix D. However, the Agency agrees that it is desirable to make it clear that the possible incapacitation of one of the minimum required flight crewmembers is given particular attention during the type certification of an airplane to be used in operations under Part 121 or under any other operating

rule that requires a minimum flight crew of two pilots. Accordingly, a separate item on incapacitation has been included as item (10) of the workload factors in the appendix to make it clear that the minimum required flight crew established for such operations provides for the continued operation of the airplane to a safe landing in the event that a flight crewmember is incapacitated during flight.

The Air Transport Association stated that the determination as to the required number of crewmembers for a given airplane should be made at the design stage and that this determination should not be changed during later stages of the type certification process. While it is true that many decisions will be made at the drawing board and design stage, the Agency believes that the final determination of the required minimum flight crew can not, in all cases, be made based on a cockpit mockup. The Agency believes that the final determination of the minimum flight crew should remain open until all of the type certification flight tests are completed. Thus, for example, if preliminary design data and mockups indicate that a two-man crew is adequate and if later findings indicate that such a crew would be unsafe, the Agency would not hesitate to require a larger minimum crew. In this regard, the Agency does not agree with the Air Transport Association that an unchangeable decision as to the minimum flight crew should be made at the design stage.

While the Agency agrees that a decision to increase the minimum flight crew for a new airplane would cause numerous problems (both economic and other) if made at the flight test stage, nevertheless, for the reasons previously stated the Agency believes that a binding decision cannot, as a matter of safety, be made until the final stages of type certification are reached. Undoubtedly, in a vast majority of cases, the decision made at the design stage will prove to be correct but the opportunity to change an incorrect decision made at this stage must be retained by the Agency if it is to fulfill its duties under the Federal Aviation Act.

Furthermore, the Agency believes that it would not be justified in retaining the present arbitrary cutoff based on weight that almost all of the commentators admit is really irrelevant merely because the decisions that must be made in determining the minimum required flight crew under the type certification process will not always be easy.

FEIA also stated that, if the minimum crew is to be based solely on the type certification determination, the Agency should give all interested parties a formal opportunity to comment whenever during the type certification procedure the Agency formed the opinion that a flight engineer would not be required for an airplane having a maximum certificated takeoff weight of more than 80,000 pounds. The Agency does not agree that any formal procedure for receiving comments on any individual decision during the type certification procedure should be established. The Agency, as a matter of course, obtains the views of many interested parties dur-



ing type certification. In the absence of an arbitrary cutoff, such as the 80,000 pound rule, we believe that if anything, much more specific attention will be given to the minimum required crew in all future type certification processes.

The Air Line Pilots Association also stated that determinations now being made during type certification in establishing the minimum required flight crew are only a few of the determinations required to be made. This Association stated numerous items such as "weather", "runway conditions", "ATC and Traffic Conditions" that it felt could not be simulated. It further contended that the flights conducted during the certification process could not adequately determine such factors since such flying is "totally different from actual air line operating requirements."

The Agency does not agree that the flight tests conducted during type certification are totally different from actual air line operations. The Agency believes that a sufficient number of the 200 to 300 hours in type certification flight tests are operations representative of the kind in which the airplane will actually be used when type certificated. In view of the criteria that will be used in determining the minimum required flight crew as set forth in Appendix D added to Part 25 by this amendment, the Agency intends that future type certification flight tests will even more closely approximate actual operating conditions that would be experienced in a typical operation using the airplane being tested.

*Civil Aeronautics Board study.*<sup>1</sup> As previously mentioned briefly, pursuant to a recommendation of the House of Representatives Committee on Government Operations the CAB undertook a "fundamental study and review of commercial airliner flight deck or cockpit design and operations, including cockpit configuration, the division of duties, and qualifications of crewmembers." In conducting its study, the CAB consulted virtually every segment of the aviation community involved in air transportation and received from many of the interested organizations comments comparable to those received by the Agency in response to Notice 64-21. The Board also had before it the Agency's proposal in Notice 64-21 and further obtained comments from Agency personnel. The Board's conclusions with respect to crew complement were:

"a. Maximum takeoff weight is not the best basis for the determination of minimum flight crew.

"b. The basis for minimum flight crew complement should be operational complexity and resulting workload.

"c. The current turbojet transport aircraft requires a minimum of three flight crewmembers to maintain a satisfactory level of safety."

The Agency's position on the first two conclusions quoted above has already been discussed. With respect to the third conclusion, it is clear from the CAB study that by "current turbojet

transport aircraft" the Board meant the B-707, DC-8, and other airplanes in the same class, since the Board elsewhere in its evaluation stated that "Our present jet transports are all certificated for weights at least two or three times greater than 80,000 pounds." These airplanes were all type certificated with minimum required flight crews of at least three flight crewmembers using substantially the same criteria that this amendment adds as an appendix to Part 25. Compliance with these criteria will continue to justify a minimum of three flight crewmembers and therefore this amendment will not change the minimum flight crew that was required for these airplanes when type certificated.

Interested persons have been afforded an opportunity to participate in the making of this amendment (29 F.R. 5805, Notice 64-21), and due consideration has been given to all relevant matter presented.

In consideration of the foregoing, Chapter I of Title 14 of the Code of Federal Regulations is amended as follows, effective May 28, 1965.

1. Part 25 is amended as follows:

(a) By adding a flush sentence to § 25.1523 reading as follows:

§ 25.1523 Minimum flight crew.

The criteria used in making the determinations required by this section are set forth in Appendix D.

(b) By adding an Appendix D reading as follows:

#### APPENDIX D

*Criteria for determining minimum flight crew.* The following are considered by the Agency in determining the minimum flight crew under § 25.1523:

a. *Basic workload functions.* The following basic workload functions are considered:

- (1) Flight path control.
- (2) Collision avoidance.
- (3) Navigation.
- (4) Communications.
- (5) Operation and monitoring of aircraft engines and systems.
- (6) Command decisions.

b. *Workload factors.* The following workload factors are considered significant when analyzing and demonstrating workload for minimum flight crew determination:

- (1) The accessibility, ease, and simplicity of operation of all necessary flight, power, and equipment controls, including emergency fuel shutoff valves, electrical controls, electronic controls, pressurization system controls, and engine controls.
- (2) The accessibility and conspicuity of all necessary instruments and failure warning devices such as fire warning, electrical system malfunction, and other failure or caution indicators. The extent to which such instruments or devices direct the proper corrective action is also considered.
- (3) The number, urgency, and complexity of operating procedures with particular consideration given to the specific fuel management schedule imposed by center of gravity, structural or other considerations of an airworthiness nature, and to the ability of each engine to operate at all times from a single tank or source which is automatically replenished if fuel is also stored in other tanks.
- (4) The degree and duration of concentrated mental and physical effort involved in normal operation and in diagnosing and coping with malfunctions and emergencies.
- (5) The extent of required monitoring of the fuel, hydraulic, pressurization, electrical,

electronic, deicing, and other systems while en route.

(6) The actions requiring a crewmember to be unavailable at his assigned duty station, including: observation of systems, emergency operation of any control, and emergencies in any compartment.

(7) The degree of automation provided in the aircraft systems to afford (after failures or malfunctions) automatic crossover or isolation of difficulties to minimize the need for flight crew action to guard against loss of hydraulic or electric power to flight controls or to other essential systems.

(8) The communications and navigation workload.

(9) The possibility of increased workload associated with any emergency that may lead to other emergencies.

(10) Incapacitation of a flight crewmember whenever the applicable operating rule requires a minimum flight crew of at least two pilots.

(c) *Kind of operation authorized.* The determination of the kind of operation authorized requires consideration of the operating rules under which the airplane will be operated. Unless an applicant desires approval for a more limited kind of operation, it is assumed that each airplane certificated under this Part will operate under IFR conditions.

2. Section 121.387 of Part 121 is amended to read as follows:

§ 121.387 Flight engineer.

No certificate holder may operate an airplane for which a type certificate was issued before January 2, 1964, having a maximum certificated takeoff weight of more than 80,000 pounds without a flight crewmember holding a current flight engineer certificate. For each airplane type certificated after January 1, 1964, the requirement for a flight engineer is determined under the type certification requirements of § 25.1523.

(Secs. 313(a), 601, 604, and 605, Federal Aviation Act of 1958; 49 U.S.C. 1354, 1421, 1424, 1425)

Issued in Washington, D.C., on April 21, 1965.

N. E. HALABY,  
Administrator.

[F.R. Doc. 65-4484; Filed, Apr. 28, 1965; 8:47 a.m.]

[Docket No. 6236; Amdt. 39-61]

### PART 39—AIRWORTHINESS DIRECTIVES

#### Boeing Model 707 Series Aircraft

A proposal to amend Part 507 of the regulations of the Administrator to include an airworthiness directive requiring inspection of the engine mount cone bolt nut for cracks or evidence of melted cadmium and replacement of the cadmium-plated nut and washer with silver-plated nut and washer on Boeing Model 707 Series aircraft was published in 29 F.R. 14036. Since the publication of that proposal, Part 507 has been recodified into Part 39 of the Federal Aviation Regulations, effective November 20, 1964; therefore, this amendment is being made to Part 39.

Interested persons have been afforded an opportunity to participate in the making of the amendment. No objections were received, however, there was

<sup>1</sup> Jet Transport Cockpit Review, BOSP-8-5-1, Civil Aeronautics Board, Bureau of Safety, Oct. 1, 1964.



a comment stating that incorrect part number information is shown in Service Bulletin 1874A. The manufacturer has advised the Agency that the part number information which appears in the service bulletin is correct. Boeing has prefaced the part number of nut, P/N 55602-S-1216, with the letters "SPS-N" to indicate the manufacturer of the nut. A footnote at the bottom of the page on which this part number appears identifies the manufacturer by name.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 6489), § 39.13 of Part 39 (14 CFR Part 39), is hereby amended by adding the following new airworthiness directive:

**Boeing.** Applies to Model 707 Series aircraft, Serial Nos. 17592 through 17608, 17614 through 17627, 17673 through 17690, 17692 through 17695, 17918 through 17924, 17928 through 17930, 18083 through 18085, 18245, 18246, 18374, 18375, and 18460.

Compliance required as indicated.

There have been failures of a rear engine mount nut attributed to embrittlement resulting from the nut being subject to temperatures which caused the cadmium to melt. To correct this condition, accomplish the following or an equivalent approved by the Aircraft Engineering Division, FAA Western Region.

(a) On all aircraft which have cadmium-plated rear engine mount cone bolt nut and washer, visually inspect the engine mount cone bolt nut for cracks or evidence of melted cadmium within 300 hours' time in service after the effective date of this AD and thereafter at periods not to exceed 300 hours' time in service.

(b) If a crack, or evidence of melted cadmium is found, replace the cadmium-plated nut and washer with a silver-plated nut and washer, before further flight, in accordance with the provisions of paragraph 3 of Boeing Service Bulletin No. 1874 or later FAA-approved revision, or an equivalent nut and washer approved by the Aircraft Engineering Division, FAA Western Region. If the installation of the silver-plated nut and washer is made in accordance with Service Bulletin No. 1874, visually check the installation for insufficient bolt thread exposure beyond the end of the nut as defined in paragraph 1 of Boeing Service Bulletin No. 1874A or later FAA-approved revision. If there is insufficient thread exposure, replace with new silver-plated nut and washer in accordance with paragraph 2 of Service Bulletin No. 1874A or later FAA-approved revision.

(c) Within 1,000 hours' time in service after the effective date of this AD, replace cadmium-plated nut and washer with silver-plated nut and washer in accordance with the provisions of paragraph (b).

(d) Unless already accomplished, on all aircraft that have complied with Service Bulletin No. 1874 prior to the effective date of this AD, visually inspect the silver-plated rear engine mount cone bolt and nut for insufficient bolt thread exposure beyond the end of the nut as defined in paragraph 1 of Boeing Service Bulletin No. 1874A or later FAA-approved revision within 300 hours' time in service after the effective date of this AD. If there is insufficient bolt thread exposure beyond the end of the nut, replace with new nut and washer in accordance with paragraph 2 of Service Bulletin No. 1874A or later FAA-approved revision before further flight.

(e) Upon request of the operator, an FAA maintenance inspector subject to prior approval of the Chief, Aircraft Engineering Division, FAA Western Region, may adjust the repetitive inspection intervals specified

in this AD to permit compliance at an established inspection period of the operator if the request contains substantiating data to justify the increase for such operator.

This amendment becomes effective May 29, 1965.

(Secs. 313(a), 601, and 603, Federal Aviation Act of 1958; 49 U.S.C. 1354(a), 1421, 1423)

Issued in Washington, D.C., on April 22, 1965.

C. W. WALKER,  
Acting Director,  
Flight Standards Service.

[F.R. Doc. 65-4459; Filed, Apr. 28, 1965; 8:45 a.m.]

[Airspace Docket No. 63-SO-40]

## PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

### Alteration of Control Zone and Transition Area

On February 2, 1965, a notice of proposed rule making was published in the FEDERAL REGISTER (30 F.R. 1052) stating that the Federal Aviation Agency proposed to alter the control zone and transition area at Asheville, N.C.

Based upon objections received in response to the notice of proposed rule making, a supplemental notice of proposed rule making, altering the proposal, was issued and published in the FEDERAL REGISTER (30 F.R. 3664) on March 19, 1965.

Interested persons were afforded an opportunity to participate in the rule making through submission of comments. All comments, relative to the supplemental notice of proposed rule making, received were favorable.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., June 24, 1965, as hereinafter set forth.

1. In § 71.171 (29 F.R. 17581) the Asheville, N.C., control zone is amended to read:

ASHEVILLE, N.C.

Within a 5-mile radius of Asheville Airport (latitude 35°26'00" N, longitude 82°32'25" W); within 2 miles each side of a 341° bearing from the Broad River RBN extending from the 5-mile radius zone to 9 miles S of the airport; within 2 miles each side of a 159° bearing from the Asheville RBN extending from the 5-mile radius zone to 5.6 miles N of the airport; and within 2 miles each side of a 129° bearing from the Asheville Airport extending from the 5-mile radius zone to 7.5 miles SE of the airport.

2. In § 71.181 (29 F.R. 17643) the Asheville, N.C., transition area is amended to read:

ASHEVILLE, N.C.

That airspace extending upward from 700 feet above the surface within 2 miles W and 8 miles E of a 341° bearing from the Broad River RBN extending from the RBN to 7 miles N; within 2 miles E and 6 miles W of a 161° bearing from the Broad River RBN, extending from the RBN to 3 miles S of the RBN; within 2 miles each side of the Asheville VORTAC 244° radial extending from 1 mile SW to 8 miles SW; and within 5 miles W and 6 miles E of the 159° and 339° bearings from the Asheville RBN extending from 6 miles N to 10 miles S of the RBN; and that airspace

extending upward from 1,300 feet above the surface bounded by a line beginning at the intersection of a 25-mile arc centered at the Asheville Airport (latitude 35°26'00" N, longitude 82°32'25" W) and a line 10 miles S of and parallel to the Asheville VORTAC 300° radial, extending clockwise along this arc to the Asheville VORTAC 061° radial, thence SE along a line perpendicular to the Asheville VORTAC 061° radial to the S boundary of V-222, thence SW along the S boundary of V-222 to a line 6 miles W of and parallel to the 161° bearing from the Broad River RBN, thence N along a line 6 miles W of and parallel to the 161° and 341° bearings from the Broad River RBN to a line 10 miles S of and parallel to the Asheville VORTAC 300° radial, thence NW along this line to the point of beginning; and that airspace bounded on the NW by V-222, on the NE by V-259, on the SE by V-20 and on the SW by V-296.

(Sec. 307(a), Federal Aviation Act of 1958; 49 U.S.C. 1348(a))

Issued in East Point, Ga., on April 21, 1965.

ARVIN O. BASNIGHT,  
Director, Southern Region.

[F.R. Doc. 65-4460; Filed, Apr. 28, 1965; 8:45 a.m.]

[Airspace Docket No. 65-WA-27]

## PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

### Alteration of Control Area

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to alter the description of Control 1228.

Control 1228 is presently designated with reference to the Tampa, Fla., radio beacon. The Federal Aviation Agency has scheduled the relocation of this radio beacon on May 1, 1965. Accordingly, in order to retain the same amount of controlled airspace presently designated with Control 1228, action is being taken herein to substitute in the description of Control 1228 a set of geographical coordinates (latitude 27°53'18" N, longitude 82°29'29" W.) for the Tampa radio beacon at its present location.

Since this amendment is editorial in nature, notice and public procedure hereon are unnecessary and the amendment may become effective on less than 30 days' notice.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective upon publication in the FEDERAL REGISTER, as hereinafter set forth.

In § 71.163 (29 F.R. 17552), Control 1228 is amended by deleting "from the Tampa, Fla., RBN" and substituting "from latitude 27°53'18" N, longitude 82°29'29" W." therefor.

(Sec. 307(a), Federal Aviation Act of 1958; 49 U.S.C. 1348)

Issued in Washington, D.C., on April 23, 1965.

H. B. HELSTROM,  
Acting Chief, Airspace Regulations  
and Procedures Division.

[F.R. Doc. 65-4461; Filed, Apr. 28, 1965; 8:45 a.m.]